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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 JOHN G. WALKER,

10 Plaintiff,

11 vs.

12 MICHAEL HALEY, et al.,

13 Defendants.  
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Case No. 3:13-cv-00485-RCJ-WGC

**ORDER**

15 The court ordered (#3) plaintiff to pay an initial partial filing fee. Plaintiff has filed a motion  
16 to adjust order (#4). He argues that he has \$126.00 in a mandatory savings account that is given to  
17 him upon his release from prison and that cannot be used to pay the initial partial filing fee.  
18 However, the statement that petitioner provided with his application to proceed in forma pauperis  
19 (#1) shows a balance of \$209.25 in his inmate trust account, which he can use to pay the filing fee.  
20 Indeed, that is the balance after other transactions, including \$126.80 being withdrawn on May 24,  
21 2013, presumably for the mandatory savings account. Nothing in plaintiff's motion (#4) indicates  
22 that the \$209.25 is unavailable for him to pay the initial partial filing fee.

23 IT IS THEREFORE ORDERED that plaintiff's motion to adjust order (#4) is **DENIED**.

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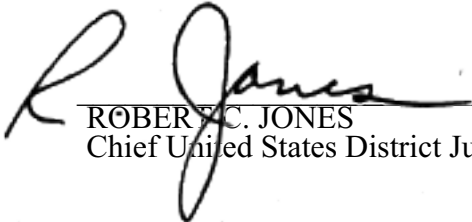
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1 IT IS FURTHER ORDERED that plaintiff shall have through December 16, 2013, to pay the  
2 initial partial filing fee as directed in the court's earlier order (#3).

3 Dated: October 30, 2013.

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6 ROBERT C. JONES  
7 Chief United States District Judge  
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